JAP:DG

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

16M 939

– – – – – – – – – – – – – X

UNITED STATES OF AMERICA

- against -

JEFFREY LIZARDO,

Defendant.

– – – – – – – – – – – – – X

COMPLAINT

(21 U.S.C. § 846)

EASTERN DISTRICT OF NEW YORK, SS:

GREGORY R. FREUDENBERG, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about September 14, 2016, within the Eastern District of New York and elsewhere, the defendant JEFFREY LIZARDO together with others, did knowingly and intentionally conspire to possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Section 846)

The source of your deponent's information and the grounds for his belief are as follows:[1]

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI") and have been trained in the investigation of numerous cases involving the trafficking of controlled substances, including cocaine. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file, and from reports of other law enforcement officers involved in the investigation

2. On or about September 11, 2016, an S-shaped parcel wrapped in green foam material and covered in clear tape and plastic wrap (the "Package") arrived from the Dominican Republic at the United States Customs and Border Protection mail facility at John F. Kennedy International Airport ("JFK") in Queens, New York. The Package, which weighed approximately 40 pounds, listed the sender's name as "Feliz Suero" and sender's address as "CL Duarte # 58, R.D., S.F.M., 31,000." The Package listed the recipient as "Jeffrey Lizardo" and the recipient's address as 2807 Clafin Avenue, Apt. 33, Bronx, NY 10468 (the "Premises").

3. On or about September 12, 2016, United States Customs and Border Protection ("CBP") officers at the JFK Mail Facility opened and inspected the contents of the Package. They discovered a white, powdery substance concealed within black plastic

---

[1] Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

wrappings that were themselves concealed within metal tubes. The gross weight of the powder extracted from the metal tubes was approximately 5.284 kilograms and field-tested positive for cocaine.

4. On or about September 12, 2016, HSI agents queried the Consolidated Lead Evaluation and Reporting ("CLEAR") database, a publically accessible records database, and determined that one of the residents of the Premises is the defendant, JEFFREY LIZARDO.

5. On or about September 14, 2016, HSI agents, with assistance from agents from the United States Postal Inspection Service and others, conducted a controlled delivery of the Package to LIZARDO at the Premises. LIZARDO presented identification confirming his identify and accepted the Package. The defendant was subsequently arrested.[2]

---

[2] After the defendant was arrested, prosecution was deferred.

WHEREFORE, your deponent respectfully requests that the defendant JEFFREY LIZARDO be dealt with according to law.

GREGORY R. FREUDENBERG
Special Agent, United States Department of Homeland Security, Homeland Security Investigations

Sworn to before me this
20th day of October, 2016

s/ LEVY

T M. LEVY
U ATE JUDGE
E W YORK